

1
2 IN THE UNITED STATES DISTRICT COURT

3 FOR THE DISTRICT OF MARYLAND

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5 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

6 Plaintiff,

7 -and-

Case No:

8 DQ 02-CV-648

9 KATHY KOCH,

10
11 Intervenor/Plaintiff,

12 vs.

13
14 LA WEIGHT LOSS CENTER, INC.,

15 Defendant.

16 -----
17
18 VIDEOTAPED DEPOSITION OF KATHY KOCH

19 New York, New York

20 Wednesday, November 30, 2005

21
22
23 Reported by:

24 CHARISSE KITT, CSR, RPR

25 JOB NO. 179730

Koch.Kathy

1 Koch

2 Q And have you also alleged that
3 LA Weight Loss's conduct towards you was
4 malicious, willful, and reckless?

5 A Yes.

6 Q And are you seeking punitive
7 damages against LA Weight Loss to punish
8 them for their actions?

9 A Yes.

10 Q Are you also seeking your
11 attorney's fees and cost in connection
12 with your case against LA Weight Loss?

13 A Yes.

14 Q Now, on November 21, 2005, did
15 LA Weight Loss enter into a settlement
16 agreement with you?

17 A Yes.

18 Q And are the terms of that
19 settlement confidential?

20 A Yes.

21 Q And is the confidentiality and the
22 terms of that settlement important to you
23 and material to you?

24 A Yes.

25 Q Are you fully satisfied with the

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Koch

MS. WHITE: Hold on.

THE VIDEOGRAPHER: Going off the
record at 3:15 p.m.

(Thereupon, a recess was taken,
and then the proceedings continued as
follows:)

THE VIDEOGRAPHER: Going back on
the record at 3:18 p.m.

BY MR. PHILLIPS:

Q I'm just going to be very brief,
Ms. Koch. I just have maybe three or four
questions.

First, I just want to ask you, is the
Equal Employment Opportunity Commission a
party to the settlement agreement that you
just testified to earlier?

A No, sir.

Q And to your knowledge has the
Equal Employment Opportunity Commission
ever agreed to be bound by the settlement
agreement that you've entered into with
LA Weight Loss?

A Ron, I can't answer that. I don't
know what you agreed to; but to my

1 Koch
2 knowledge you were not part of this
3 agreement.

4 Q Okay. Thank you.

5 And is your testimony today given as a
6 part of that settlement agreement?

7 A Yes, it is.

8 Q What are the terms of that
9 settlement agreement?

10 MS. WHITE: Objection.

11 A I'm sorry, Ron, I cannot tell you,
12 they are confidential. Under advice of
13 counsel I cannot discuss it.

14 Q And what relief are you seeking --
15 I'm sorry. What relief -- strike that.

16 What relief are you receiving as a
17 part of that settlement agreement?

18 MS. WHITE: Objection.

19 A I'm sorry, Ron, under advice of
20 counsel I cannot answer that. The
21 agreement is confidential.

22 MR. PHILLIPS: No further
23 questions.

24 MR. LANDAU: This is David. I
25 neglected, and I want to put on the